

**CITY OF COOS BAY**  
**PLANNING COMMISSION MINUTES**  
**Tuesday, January 12, 2016 at 6:00 P.M.**  
**Coos Bay City Hall, 500 Central Avenue, Coos Bay**

**ATTENDANCE**

**COMMISSIONERS:** Chairman Christine Coles, Commissioners, Katherine Flores, Phil Marler, Jeff Marineau, Rex Miller and John Peery.

**ABSENT:** Commissioner Jim Berg

**STAFF:** Tom Dixon, Planning Administer  
Debbie Erler, Planner

**SIGNED-IN GUESTS:** None

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**ADMINISTRATIVE**

- A. Election of Planning Commission Chairman and Vice-Chairman for 2016.
- MOTION:** Commissioner Coles – Nominated Phil Marler for Chairman of the Planning Commission for the year 2016.
- SECOND:** Commissioner Miller
- VOTE:** Unanimous
- MOTION:** Commissioner Coles – Nominated Commissioner Marineau for Vice-Chairman of the Planning Commission for the year 2016.
- SECOND:** Commissioner Miller
- VOTE:** Unanimous
- B. Appointment of a Planning Commissioner as representative to the Parks Commission.
- MOTION:** Chairman Marler – Nominated Commissioner Coles as Planning Commission representative to the Parks Commission for the year 2016.
- SECOND:** Commissioner Marineau
- VOTE:** Unanimous
- C. Appointment of Planning Commissioner as representative to the Urban Renewal Advisory Committee for 2016.
- MOTION:** Commissioner Marineau - Nominated Commissioner Berg as Planning Commission representative to the Urban Renewal Advisory Committee for the year 2016.
- SECOND:** Commissioner Coles
- VOTE:** Unanimous

## APPROVAL OF MINUTES

Approval of the Planning Commission minutes of December 8, 2015.

**MOTION:** Commissioner Miller – Approve the Planning Commission minutes of December 8, 2015 as submitted.  
**SECOND:** Commissioner Coles  
**VOTE:** Unanimous

CCI/PUBLIC COMMENTS None

## PUBLIC HEARING

### **ITEM A: Site Plan and Architectural Review (SPAR) and Conditional Use Permit (CUP)**

**#187-ZON15-043:** The applicant is requesting, as operator of the Coos Bay Children's Academy (CBCA), approval of a Site Plan and Architectural Review application to make tenant improvements to 6,082 square feet of the lower level of an existing building for a child care facility. The site is located in the R-4P (Residential/Professional District) zoning district which requires a Conditional Use Permit when a child care facility requires State of Oregon licensure or certification and provides services for more than 13 children. The CBCA is proposing an enrollment of 90 children.

Chairman Marler asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report.

Chairman Marler opened the public hearing.

Tom Dixon read the disclosure statement and outlined the applicant's request (Power Point Presentation). The applicant is requesting approval of a Site Plan and Architectural Review application to make tenant improvements to 6,082 square feet of the lower level of an existing building for a child care facility. The site is located in the Residential/Professional District (R-4P) zoning district which requires a Conditional Use Permit when a child care facility requires State of Oregon licensure or certification and provides services for more than 13 children. The CBCA is proposing an enrollment of 90 children.

Applicant, Betty Ewing, 17720 Pond-DeRosa Lane, Prunedale, California, stated she is relocating to the area and she did a lot of research and she found there is a need for an educational daycare. Her goal is to open June 13, 2016. She said she has staff and children lined up and she wants a good relationship with surrounding businesses. She stated one of the business owners expressed a concern regarding noise.

Commissioner Peery stated the drop-off/pick-up area appears tight and he is concerned about traffic backing up into Elrod Avenue. Ms. Ewing stated the arrival and departure times will be staggered. She said there will not be 90 children in the facility at any time (am/pm). They will be open from 6:00 a.m. to 6:00 p.m. (Monday-Saturday) and they will look at longer hours if there is a need. She said staff will arrive at 5:30 a.m. and parents will start arriving at 6:00 a.m. Sessions will be from 6:00 a.m. to 2:00 p.m. and 2:00 to 6:00 p.m. There will be a one-way path for drop off near the proposed fence (enter off Elrod Avenue, exit onto South 4<sup>th</sup> Street). She said the parents will need to come in to the building and sign the child in and out.

Tanya Nelson, 405 Elrod Avenue, stated they own Bay Area Mortuary, which has been in business since 1924 and they have owned the business for 22 years. She said that people enter the building off Elrod Avenue for services, but they do business from the back with the garage doors open, which involved hearse and caskets. She said viewing these may be a discerning for the children. She said they strive to be good neighbors and they are concerned about the amount of traffic coming/going from the proposed business. She said the "Call Center" located on the first floor of the building fills up the parking lot behind their building.

Chairman Marler asked Mrs. Nelson if they a parking agreement for when they have services. She said they have an agreement with the Fire Department for overflow parking.

Chairman Marler closed the public hearing.

Commissioner Miller stated he has a number of concerns about the lack of information on the site plan. He would like to know if the playground is covered or uncovered. He also has concerns about traffic backing up onto Elrod Avenue, when the parent (up to 45 for each session) is required to come into the facility when dropping off and picking up their child. He said he cannot make an informed decision based on what has been submitted.

Commissioner Miller and Coles expressed concerns about Condition Number 5 which indicates the applicant must submit a revised site plan with details regarding the play area, the number and location of existing parking spaces, and on-site circulation for (he assumes) staff review and approval. They stated these are items that should be addressed in their application and discussed during the public hearing. Commissioner Miller stated the applicant needs to provide this information as part of the application; the City should not be designing the project with Conditions.

Commissioner Marineau asked what type of information a traffic engineer would be providing. Mr. Dixon stated a traffic engineer would provide traffic impact (daily trips) based on the proposed use. He said if the daily trips exceed 500, then a traffic impact study would be required.

Commissioner Miller questioned the street described in Condition #6, thinks it should read South 6<sup>th</sup> Street, not South 7<sup>th</sup> Street.

Commissioner Marineau stated that the prior use of the structure was the employment office (both floors) and at that time they used all the surrounding off-street parking (the west parking lot and the south parking lot to South 4<sup>th</sup> Street). He believes Mr. Huggins (Huggins Insurance) has an easement agreement for ingress/egress.

**MOTION:** Commissioner Peery- Continue Site Plan and Architectural Review (SPAR) and Conditional Use Permit (CUP) #187-ZON15-043 to the Planning Commission hearing of February 9, 2016, to allow the applicant time to provided needed written and site plan details related to the playground (covered/uncovered/times of day); ingress/egress (drop-off-/pick-up); and traffic impact.

**SECOND:** Commissioner Marineau

**VOTE:** Unanimous

**ITEM B: Vacation #187-ZON15-045** – The applicant, Georgeann Hoeger, is requesting approval to vacate a portion of Pennsylvania Avenue located between Southwest Blvd and South13th Street.

Chairman Marler asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report.

Chairman Marler opened the public hearing.

Debbie Eler read the disclosure statement and outlined the applicant's request. The applicant is requesting approval to vacate a portion of Pennsylvania Avenue located between Southwest Blvd and South 13th Street.

James Edwards, Lakeside, Oregon, stated his brother is an abutting property owner (Tax Lot #4100). He said the property has no real value to the City, but it would help his brother because that area is used as his back yard and it would help control access. He said someone just took a \$1,200 bike that was chained in the back yard.

Chairman Marler closed the public hearing.

**MOTION:** Commissioner Coles - Based on the adopted Findings, Conclusions and Conditions, as supported by the Staff Report and the applicant's submittal, attached hereto and incorporated herein by reference as Attachment "A", recommend the City Council approve the proposed Vacation of Pennsylvania Avenue located between Southwest Blvd and South 13th Street as submitted.

**SECOND:** Commissioner Miller

**VOTE:** Unanimous

**ITEM C: Site Plan & Architectural Review (SPAR) #187-ZON15-052** – The applicant is requesting approval of a "Site Plan and Architectural Review" for the construction of a one-story, 60 foot by 70-foot (4,200 square-foot) storage building for floor covering materials. The proposed site development includes paved off-street parking, installation of water, storm water and electrical service, and the possible relocation of an existing on-site sanitary sewer line.

Chairman Marler asked if there were any objections to the Planning Commission hearing the item on jurisdictional grounds. He asked if any Planning Commissioner had ex parte contact or conflict of interest to report.

Chairman Marler opened the public hearing.

Debbie Eler read the disclosure statement and outlined the applicant's request. The applicant is requesting approval the construction of a one-story, 60 foot by 70-foot (4,200 square-foot) storage building for floor covering materials. The proposed site development includes paved off-street parking, installation of water, storm water and electrical service, and the possible relocation of an existing on-site sanitary sewer line. She stated that the applicant has two options regarding the existing sewer line (replacement or relocation). She said staff is recommending the sewer line be relocated.

Commissioner Miller questioned why a sewer line is running through the property. Ms. Eler explained that the property was platted as two separate lots and the sewer line ran down the center property line to provide sewer connection to both properties.

Richard Turi (owner's representative), North Bend, explained the project. He stated when the property owner purchased the property in 2007 there was an easement for the sewer line and he wanted to combine the lots to place a storage structure. At that time (2008) the City indicated that they would allow a structure to be placed over the sewer line (with standards outlined in a letter). The owner was not able to complete the project at that time. He stated at that time a SPAR was not required and now a SPAR is required for commercial development. He said that the City is honoring their original approval, but now there are additional requirements. Mr. Turi stated they have done some preliminary cost assessments and the cost to relocate the line could be three to four times the cost of replacement of the existing line. He said the City will consider some cost sharing. He said the applicant wants to have both options available to have complete project cost assessment.

Commissioner Miller and Mr. Turi discussed the option of relocating the sewer line as it relates to the slope, drainage and increased easement requirements (the deeper the line the larger the easement requirements).

Chairman Marler closed the public hearing.

**MOTION:** Commissioner Coles - Based on the adopted Findings, Conclusions and Conditions, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachment "A" approve Site Plan & Architectural Review #187-ZON15-052, allowing the construction of the proposed one-story 4,200 square-foot storage structure, subject to the following Conditions:

1. If, at any time, the use of the structure changes from storage, compliance with the current Coos Bay Municipal Code will be required through a Site Plan Review.
2. A sewer permit must be obtained prior to beginning work on either Option No. 1 or Option No. 2. Detailed plans and specifications shall accompany the permit.

Relocation of the existing sanitary sewer line, Option No.1:

- a. Unless otherwise requested and approved, the utility easement requirement will be as follows: The minimum easement width for installations of storm and sewer with depths of cover of 5-feet or less (measured at the top of pipe) is 15 feet. For each additional 5-feet of cover over 5-feet (rounded up) the minimum easement width will be increased by 10-feet. Easements shall be centered over the utility. The easement shall allow the City access to maintain and repair this line for the life of the line; the document must be recorded prior to issuance of building permits and applicant is responsible for recording fees.
- b. If the proposed tie-in to the manhole is not at flow line, an inside drop manhole will be required;
- c. Detailed plans and specifications, prepared by a licensed professional, for the sewer realignment shall be submitted and approved prior to issuance of building permits;
- d. All improvements must be in accordance with local and State requirements/standards; and,

- e. Owner shall certify a utility easement, prepared by the City for the sewer realignment. This document must be recorded prior to issuance of building permits and applicant is responsible for recording fees.

Replacement of the existing sanitary sewer line, Option No.2:

- a. The approval to replace the existing sanitary sewer line does not set a precedent for future projects.
  - b. Sewer replacement must extend a minimum 5 feet beyond either side of the proposed building.
  - c. All improvements must be in accordance with local and State requirements/standards.
  - d. Must obtain the approval from the State Plumbing official prior to issuance of building permits.
  - e. Detailed plans and specifications, prepared by a licensed professional, for sewer realignment shall be submitted and approved prior to issuance of building permits.
  - f. Owner shall certify a declaration of real covenant/easement, prepared by the City, that defines that the property owner is responsible for any damage to the proposed structure or public sewer line that is aligned under the structure. This document must be recorded prior to issuance of building permits and applicant is responsible for recording fees.
  - g. Replaced pipe shall be encased in a cast iron pipe and a manhole shall be installed on the property west of the proposed structure to ensure maintenance at both the downstream and upstream limits. The backfill material will be per the recommendation of the engineer of work.
3. The replacement of the existing connection to the storm sewer system or a new connection to the storm sewer system must be in conformance with both local and state requirements and prior to approval of building permits. The applicant must submit information indicating that the increased runoff from the project will not adversely impact storm drain system.
  4. A complete review for Fire and Life Safety will be conducted at the time construction plans are submitted to verify compliance with the 2014 Oregon Fire Code (including exit signage, emergency lighting, fire extinguisher placement, address labeling, and other life safety considerations such as adequate flow from the fire hydrant at the NW corner of Ocean Blvd and Dunn Street).
  5. All outside storage and trash areas must be enclosed and screened from public view.
  6. The applicant/owner must secure all structural and development permits as required, from the City, State and Federal agencies.

7. Temporary sediment and erosion control measures shall be installed prior to and during construction where applicable to prevent construction debris from entering into the storm sewer system.
8. It is the responsibility of the applicant to obtain any required ODOT approvals for access prior to commencement of construction.

**SECOND:** Commissioner Marineau  
**VOTE:** Unanimous

### **COMMISSION COMMENTS**

Commissioner Marineau congratulated the Planning Commissioners (Coles, Marler, Miller) on their reappointment.

Commissioner Miller stated he has concerns about applicants wanting the City to design their projects based on conditions. He would like to see applicants provide more detailed site plans to begin with at the time of submittal. Mr. Dixon stated that sometimes issues arise during the review process which requires conditions to address the issue. He stated that with this application it was hard to get information from the applicant.

Commissioner Peery stated he is glad the CUP application was continued because he was uncomfortable with the lack of detail.

Commissioner Coles stated she agreed with Commissioner Miller and she would like to see more detail on the site plans.

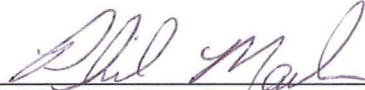
Chairman Phil Marler stated he knows staff can only go so far with encouraging applicants to submit detailed plans, in the end it is on the applicants.

### **STAFF COMMENTS**

Mr. Dixon updated the Planning Commission on the Development Code Rewrite that will be before the City Council on February 16, 2016. The required published and citywide notices have been completed. He stated staff will hear two projects at a "Pre-Application" conference this week regarding development of Planned Unit Development on Ocean Blvd and a tri-plex in the downtown area. The Planning Commission will hear a variance request to the setback requirements at the February hearing for the downtown property.

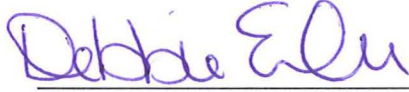
Ms. Erler stated there is a new property owner for the Seagate Townhouses and they are moving forward with completing the units.

ADJOURNMENT 7:34 p.m.



Phil Marler, Planning Commission Chairman  
City of Coos Bay  
Coos County, Oregon

ATTEST:



Debbie Erler, Planner  
City of Coos Bay

APPROVED AS AMENDED 02-09-2016